



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

06 November 2009

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AAM = *Alabama Administrative Monthly*
ADEM = Alabama Department of Environmental Management
ANSI = American National Standards Institute
ASME = American Society of Mechanical Engineers
AUST = Alabama Underground Storage Tanks
C&D = Construction and demolition
CCR = *California Code of Regulations*
CFR = *Code of Federal Regulations*
CO = Carbon monoxide
CO_{2e} = Carbon dioxide equivalent
COMAR = Code of Maryland Regulations
CRNR = California Regulatory Notice Register
CSA = Chairlift Safety Authority
D/DBPR = Stage 2 Disinfectants and Disinfection Byproducts Rule
DDE = 1,1-Dichloro-2,2-bis(p-chlorophenyl)-ethylene
DDT = Dichlorodiphenyltrichloroethane
DLLR = Division of Labor and Industry
EPA = U.S. Environmental Protection Agency
F.A.C. = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FDEP = Florida Department of Environmental Protection
FR = *Federal Register*
GHG = Greenhouse gas
IRIS = Integrated Risk Information System
ISOR = Initial Statement of Reasons
KSC = Kennedy Space Center
LSI = Large Spark-Ignition Engine Regulations
Md.R. = *Maryland Register*

MS4 = Municipal separate storm sewer system
NAAQS = National Ambient Air Quality Standards
NASA = National Aeronautics and Space Administration
NESHAP = National Emissions Standards for Hazardous Air Pollutants
NSPS = New Source Performance Standards
NSR = New source review
OSHA = Occupational Safety and Health Administration
PM2.5 = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
PSD = Prevention of significant deterioration
RACT = Reasonably Available Control Technology
RCRA = Resource Conservation and Recovery Act
RIN = Regulatory Identification Number
ROPS = Rollover protective structure
RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
SIP = State Implementation Plan
TCEQ = Texas Commission on Environmental Quality
TMDL = Total maximum daily load
TSCA = Toxic Substances Control Act
UAA = Use Attainability Analysis
U.S. = United States
USDA = U.S. Department of Agriculture
UST = Underground storage tank
Va.R. = *Virginia Register*
VAC = Virginia Administrative Code
VOC = Volatile organic compound
WCI = Western Climate Initiative

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-1	Aeronautics Research and Development	11/03/2009	74 FR 56896	Notice	Office of Science and Technology Policy Aeronautics Science and Technology Subcommittee; Committee on Technology; National Science and Technology Council Request for comments on the draft biennial update to the National Plan for Aeronautics Research and Development and Related Infrastructure. The draft update will be posted on the Aeronautics Science and Technology Subcommittee webpage by 11/10/2009. Comments due 11/17/2009.	
FED11062009-2	Air Area Source NESHAP— Chemical Manufacturing	10/29/2009	74 FR 56007	Final Rule	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources [40 CFR Part 63] Issues NESHAP for nine area source categories in the chemical manufacturing sector: <ul style="list-style-type: none"> ▪ Agricultural Chemicals and Pesticides ▪ Manufacturing, Cyclic Crude and Intermediate Production, Industrial ▪ Inorganic Chemical Manufacturing, Industrial Organic Chemical ▪ Manufacturing, Inorganic Pigments Manufacturing, Miscellaneous Organic ▪ Chemical Manufacturing, Plastic Materials and Resins Manufacturing, ▪ Pharmaceutical Production and Synthetic Rubber Manufacturing Establishes emission standards in the form of management practices for each chemical manufacturing process unit, as well as emission limits for certain subcategories of process vents and storage tanks. Also establishes management practices and other emission reduction requirements for subcategories of wastewater systems and heat exchange systems. Effective 10/29/2009. [RIN 2060-AM19]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-3	Air Greenhouse Gas Emissions-PSD and Title V Permitting	10/27/2009	74 FR 55291	Proposed Rule	<p>Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule [40 CFR Parts 51, 52, 70, and 71]</p> <p>Proposes major source applicability thresholds for GHG emissions that define when NSR PSD and Title V operating permits would be required for new or existing industrial facilities. Also proposes to set a PSD significance level for GHG emissions. Proposed rule would phase in the applicability thresholds for both the PSD and Title V programs for sources of GHG emissions. The first phase, which would last 6 years, would establish a temporary level for both thresholds at 25,000 tons per year on a "carbon dioxide equivalent" (CO₂e) basis, and a temporary PSD significance level for GHG emissions of between 10,000 and 25,000 tons per year CO₂e. Comments due 12/28/2009. Requests to speak at a public hearing due 11/16/2009. [RIN 2060-AP86]</p> <p>For further information, please see the RRAC PC Regulatory Summary on this item.</p>	NASA Centers are urged to review the proposed rule for potential applicability.
FED11062009-4	Air Greenhouse Gas Emissions-PSD and Title V Permitting	11/04/2009	74 FR 57126	Notice	<p>Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule [40 CFR Parts 51, 52, 70, and 71]</p> <p>Announces two public hearings to be held for the proposed "Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule" (74 FR 55291, 10/27/2009). Hearings to be held 11/18/2009 and 11/19/2009 in Arlington, Virginia. [RIN 2060-AP86]</p> <p>See related item above.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-5	Air Greenhouse Gas Reporting	10/30/2009	74 FR 56259	Final Rule	<p>Mandatory Reporting of Greenhouse Gases</p> <p>[40 CFR Parts 86, 87, 89, 90, 94, 98, 1033, 1039, 1042, 1045, 1048, 1051, 1054, 1065]</p> <p>Finalizes rule requiring reporting of annual emissions of the following GHGs:</p> <ul style="list-style-type: none"> Carbon dioxide Methane Nitrous oxide Sulfur hexafluoride Hydrofluorocarbons, perfluorocarbons, and other fluorinated gases (e.g., nitrogen trifluoride and hydrofluorinated ethers) <p>Includes monitoring, record keeping, and verification requirements. Applies to certain facilities that emit GHGs (primarily large facilities emitting 25,000 metric tons or more of CO₂e GHG emissions per year), to most upstream suppliers of fossil fuels and industrial GHGs, and to manufacturers of vehicles and engines. Reporting is at the facility level, except that certain suppliers and vehicle and engine manufacturers report at the corporate level. Effective 12/29/2009.</p> <p>For further information, please see the RRAC PC Regulatory Summary on this item.</p>	NASA stakeholders are advised to review this rule to identify potential adverse impacts, and should note that it does not include a specific exemption for space vehicle-related operations.
FED11062009-6	Air NAAQS for Carbon Monoxide	10/29/2009	74 FR 55843	Notice	<p>Release of Draft Document Related to the Review of the National Ambient Air Quality Standards for Carbon Monoxide</p> <p>Notice of availability of a draft assessment document: Risk and Exposure Assessment to Support the Review of the Carbon Monoxide (CO) Primary National Ambient Air Quality Standards—First External Review Draft. Document describes the quantitative analyses being conducted as part of the review of the NAAQS for carbon monoxide. Comments due 11/19/2009.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-7	Biobased Procurement	10/26/2009	74 FR 55089	Final Rule	<p>Office of Energy Policy and New Uses, USDA</p> <p>Designation of Biobased Items for Federal Procurement [7 CFR Part 2902]</p> <p>Designates the following nine products as biobased items for federal procurement:</p> <ul style="list-style-type: none"> ▪ Chain and cable lubricant ▪ Corrosion preventives ▪ Food cleaners ▪ Forming lubricants ▪ Gear lubricants ▪ General purpose household cleaners (does not include disinfectants) ▪ Industrial cleaners (does not include parts wash solutions) ▪ Multipurpose cleaners (does not include disinfectants) ▪ Parts wash solutions <p>Effective 11/27/2009. Procuring agencies have until 10/27/2010 to establish a procurement preference for these products. [RIN 0503-AA33]</p> <p>For further information, please see the RRAC PC Regulatory Alert on this item.</p>	NASA Centers and contractors must establish procurement preferences for these products.
FED11062009-8	Hazardous Substances	10/26/2009	74 FR 55240	Notice	<p>Agency for Toxic Substances and Disease Registry</p> <p>Announcement of Final Priority Data Needs for Six Priority Hazardous Substances</p> <p>Announces the final exposure and toxicity priority data needs for the following priority hazardous substances:</p> <ul style="list-style-type: none"> ▪ Aluminum ▪ Cresol ▪ Diazinon ▪ Dichloropropenes ▪ Futhion ▪ Phenol <p>Also serves as a continuous call for voluntary research proposals.</p>	
FED11062009-9	Hazardous Waste Solvent-Contaminated Industrial Wipes	10/27/2009	74 FR 55163	Notice	<p>Hazardous Waste Management System: Identification and Listing of Hazardous Waste: Conditional Exclusion From Hazardous Waste and Solid Waste for Solvent-Contaminated Industrial Wipes [40 CFR Part 261]</p> <p>Invites comment about a revised risk analysis supporting proposed revisions to hazardous waste regulations governing the management of solvent-contaminated wipes. The risk analysis was conducted on a proposal to exclude solvent-contaminated wipes from the RCRA definitions of solid and hazardous waste. [RIN 2050-AE51]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-10	Homeland Security Anthrax Attack	10/27/2009	74 FR 55246	Notice	<p>Department of Homeland Security</p> <p>Notice of Availability of Proposed Guidance for Protecting Responders' Health During the First Week Following a Wide-Area Anthrax Attack</p> <p>Request comments on "Proposed Guidance for Protecting Responders' Health During the First Week Following a Wide-Area Anthrax Attack." Comments due 11/27/2009.</p>	
FED11062009-11	Lead Renovation, Repair, and Painting	10/28/2009	74 FR 55506	Proposed Rule	<p>Lead; Amendment to the Opt-out and Recordkeeping Provisions in the Renovation, Repair, and Painting Program [40 CFR Part 745]</p> <p>Proposes several revisions to the Lead Renovation, Repair, and Painting Program rule. Includes proposal to require renovation firms to provide a copy of the records demonstrating compliance with the training and work practice requirements to the owner and, if different, the occupant of the building being renovated or the operator of the child-occupied facility. Comments due 11/27/2009. [RIN 2070-AJ55]</p>	
FED11062009-12	Nanomaterials	10/30/2009	74 FR 54246	Notice	<p>Office of Science and Technology Policy</p> <p>Nanomaterials and the Environment & Instrumentation, Metrology, and Analytical Methods Workshop: Nanotechnology Primer Public Meeting</p> <p>Announces a primer public meeting to provide general background material about nanotechnology and federal nanotechnology research to participants. The meeting will be held 11/16/2009 in Arlington, Virginia, the day prior to a related workshop.</p> <p>See related item below.</p>	
FED11062009-13	Nanomaterials	10/30/2009	74 FR 56245	Notice	<p>Office of Science and Technology Policy</p> <p>Nanomaterials and Human Health & Instrumentation, Metrology, and Analytical Methods Workshop: Public Meeting</p> <p>Announces a workshop to provide an open forum to discuss the state-of-the-art of the science related to environmental, health, and safety aspects of nanomaterials in two areas: human health and instrumentation and metrology. Workshop will be held 11/17/2009 and 11/18/2009 in Arlington, Virginia.</p> <p>See related item above.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-14	Nuclear Regulatory Guides	10/26/2009	74 FR 55074	Notice	Nuclear Regulatory Commission Withdrawal of Regulatory Guides 4.5 and 4.6 Withdraws Regulatory Guide 4.5, "Measurements of Radionuclides in the Environment--Sampling and Analysis of Plutonium in Soil," and Regulatory Guide 4.6, "Measurements of Radionuclides in the Environment--Strontium-89 and Strontium-90 Analysis." The guidance provided in these regulatory guides is neither necessary nor current.	
FED11062009-15	Nuclear Research Reactors	11/04/2009	74 FR 57206	Notice	Nuclear Regulatory Commission Notice of Availability of Final Interim Staff Guidance on Streamlined Review Process for License Renewal for Research Reactors and Response to Comments Announces availability of final interim staff guidance on a streamlined review process for license renewal for research reactors.	
FED11062009-16	Nuclear Safety Culture	11/06/2009	74 FR 57525	Notice	Nuclear Regulatory Commission Draft Safety Culture Policy Statement: Request for Public Comments Issues a draft policy statement that sets forth the expectation that all licensees and certificate holders establish and maintain a positive safety culture that protects public health and safety and the common defense and security when conducting licensed activities. Comments due 02/04/2010.	
FED11062009-17	Pesticides Petition to Protect Children from Pesticide Drift	11/04/2009	74 FR 57168	Notice	Petition to Protect Children from Pesticide Drift; Notice of Availability Requests comments on a petition requesting that EPA systematically evaluate children's exposures to pesticide drift and require interim prohibitions on the use of certain pesticides near homes, schools, and other places where children congregate. Comments due 01/04/2010.	
FED11062009-18	Safety Hazard Communication	11/05/2009	74 FR 57278	Proposed Rule	Occupational Safety and Health Administration Hazard Communication; Correction [29 CFR Part 1910, 1915, and 1926] Correct errors in the OSHA Hazard Communication standard proposed rule (74 FR 50279 , 09/30/2009). [RIN 1218-AC20]	
FED11062009-19	Toxic Substances	11/02/2009	74 FR 56611	Notice	Integrated Risk Information System (IRIS); Announcement of Availability of Literature Searches for IRIS Assessments Announces availability of literature searches for IRIS assessments that were or may be started in 2009 and requests scientific information about health effects that may result from exposure to these chemical substances.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED11062009-20	Toxic Substances	11/03/2009	74 FR 56834	Notice	Draft Toxicological Review of Trichloroethylene: In Support of the Summary Information in the Integrated Risk Information System (IRIS) Announces a public comment period for the external review draft document titled, " Toxicological Review of Trichloroethylene: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Comments due 02/01/2010.	
FED11062009-21	Toxic Substances Carbon Nanotubes	11/06/2009	74 FR 57430	Proposed Rule	Proposed Significant New Use Rules on Certain Chemical Substances [40 CFR Part 721] Proposes significant new use rules for multi-walled carbon nanotubes and single-walled carbon nanotubes. These substances are subject to TSCA section 5(e) consent orders issued by EPA. The consent orders require protective measures to limit exposures or otherwise mitigate the potential unreasonable risk. Would require persons who intend to manufacture, import, or process either of these two substances for an activity that is designated as a significant new use by this proposed rule to notify EPA at least 90 days before beginning that activity. Comments due 12/07/2009. [RIN 2070-AB27]	
FED11062009-22	Toxic Substances Chloroprene	11/05/2009	74 FR 57313	Notice	Draft Toxicological Review of Chloroprene: In Support of the Summary Information in the Integrated Risk Information System (IRIS) Announces a listening session to be held for the external review draft document entitled, " Toxicological Review of Chloroprene: In Support of Summary Information on the Integrated Risk Information System (IRIS) ." Listening session to be held 11/23/2009.	
FED11062009-23	Wind Turbines	10/29/2009	74 FR 55854	Notice	U.S. Fish and Wildlife Service Office of the Secretary; Renewal of the Wind Turbine Guidelines Advisory Committee Notice that the Wind Turbine Guidelines Advisory Committee has been renewed. The Committee will provide advice and recommendations about developing effective measures to avoid or minimize impacts to wildlife and their habitats related to land-based wind energy facilities.	

1.2 Other News and Developments

1.2.1 Information Collection Request for Proposed Storm Water Rulemaking

EPA is proposing to disseminate surveys to owners, operators, developers, and contractors of developed sites, owners and operators of municipal separate storm sewer systems

(MS4s), and states and U.S. territories. The survey will support a rulemaking to strengthen storm water regulations and to establish a comprehensive program to reduce storm water from newly developed and redeveloped sites.

EPA intends to propose a rule to control storm water from, at minimum, newly developed and redeveloped sites, and to take final action no later than November 2012. EPA is proposing to require three separate questionnaires to gather data from: 1) the owners, operators, developers, and contractors of newly and redeveloped sites; 2) the owners and operators of MS4s; and 3) states and territories. The draft surveys would require detailed information about storm water management and control practices, local regulations, and baseline financial information.

1.3 Regulatory Communication Working Group Updates

Tentative dates for upcoming Regulatory Communication Working Group telecons are provided below. Calls will be held at 12 p.m. CT:

- 18 November
- 2 December

2.0 State Regulatory Reviews

The following sections provide details of the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL11062009-1	Administration Fees	10/30/2009	AAM Vol. XXVIII, No. 1, p. 10	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 1-General Administration 6-Application Fees Proposes to amend Fee Schedule G to add notification fees for medical waste generators. A list of specific changes can be found in the Division 1 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-2	Administration Forms	10/30/2009	AAM Vol. XXVIII, No. 1, p. 9	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 1-General Administration 1-Organization Proposes to amend ADEM Form 410, Medical Waste Notification Form. A list of specific changes can be found in the Division 1 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-3	Air Definitions	10/30/2009	AAM Vol. XXVIII, No. 1, p. 11	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 3-Air Pollution Control Program 1-General Provisions Proposes to revise the definition of VOCs to be consistent with EPA regulations. A list of specific changes can be found in the Division 3 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-4	Air NESHAPs	10/30/2009	AAM Vol. XXVIII, No. 1, p. 13	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 3-Air Pollution Control Program 11-National Emission Standards for Hazardous Air Pollutants (NESHAPs) Proposes to incorporate by reference EPA changes to the NESHAPs through 07/01/2009. This incorporation allows EPA to delegate administrative enforcement of these regulations to ADEM. Chapter 335-3-11 is not considered as a part of the federally enforceable SIP. As such, any revisions to this Chapter/Rule are not proposed to be incorporated into Alabama's SIP. A list of specific changes can be found in the Division 3 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL11062009-5	Air NSPS	10/30/2009	AAM Vol. XXVIII, No. 1, p. 12	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 3-Air Pollution Control Program 10-Standards of Performance for New Stationary Sources Proposes to incorporate by reference EPA changes to the NSPS through 07/01/2009. This incorporation allows EPA to delegate administrative enforcement of these regulations to ADEM. Chapter 335-3-10 is not considered as a part of the federally enforceable SIP. As such, any revisions to this Chapter/Rule are not proposed to be incorporated into Alabama's SIP. A list of specific changes can be found in the Division 3 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-6	Air Reference Documents	10/30/2009	AAM Vol. XXVIII, No. 1, p. 14	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 3-Air Pollution Control Program Appendix C-EPA Regulations Reference Documents Proposes to make changes to Appendix C to reflect changes made in Chapter 10. A list of specific changes can be found in the Division 3 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-7	Hazardous Waste General	10/30/2009	AAM Vol. XXVIII, No. 1, p. 16, 17, and 19-24	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 14-Hazardous Waste Program Proposes to amend the following rules:: <ul style="list-style-type: none"> 335-14-1 Hazardous Waste Management System: General 335-14-2 Identification and Listing of Hazardous Waste 335-14-4 Standards Applicable to Transporters of Hazardous Waste 335-14-5 Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities 335-14-6 Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities 335-14-8 Permit Program 335-14-11 Standards for Universal Waste Management 335-14-17 Standards for Management of Used Oil Proposed amendments include the following items: <ul style="list-style-type: none"> Incorporate changes to ensure consistency with state and federal statutes Adopt certain state-specific requirements Provide clarification of state requirements for the management of hazardous waste A list of specific changes can be found in the Division 14 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-8	Solid Waste	10/30/2009	AAM Vol. XXVIII, No. 52	Final Rule	Alabama Department of Environmental Management 335-ADEM 13-Solid Waste Program 13-Statewide Solid Waste Reduction Goal Establishes a statewide solid waste reduction and recycling goal. The proposed rule text can be found here . Effective 10/20/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL11062009-9	Solid Waste Medical Waste	10/30/2009	AAM Vol. XXVIII, No. 1, p. 15	Proposed Rule Hearing	Alabama Department of Environmental Protection 335-ADEM 13-Solid Waste Program 7-Medical Waste Proposes to require all generators of medical waste to notify ADEM annually of their medical waste management activities and to pay an Annual Generator Notification fee. Small-quantity generators of medical waste may be exempt from this requirement. A list of specific changes can be found in the Division 13 document. Comments due 12/11/2009. A public hearing will be held 12/09/2009 at ADEM, Montgomery, Alabama.	
AL11062009-10	USTs	10/30/2009	AAM Vol. XXVIII, No. 1, p. 51	Final Rule	Alabama Department of Environmental Protection 335-ADEM 6-Water Quality Program 15-Technical Standards, Corrective Action Requirements, and Financial Responsibility for Owners and Operators of Underground Storage Tanks Final rule revises the division 335-6 Code to provide updated regulations to meet the requirements of the Operator Training Provisions of the Federal Energy Policy Act of 2005, to revise certification requirements for cathodic protection testers, and other necessary updates. Effective 10/20/2009.	
AL11062009-11	USTs	10/30/2009	AAM Vol. XXVIII, No. 1, p. 52	Final Rule	Alabama Department of Environmental Protection 335-ADEM 6-Water Quality Program 16-Administrative Guidelines and Procedures for the Alabama Underground Storage Tanks (AUST) Trust Fund Final rule revises the Division 335-6 Code to establish the annual Trust Fund Charge and scope of Trust Fund coverage, effective 01/01/2010.	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA11062009-1	Air	10/30/2009	CRNR 2009.44z, p.1916	Final Rule	Air Resources Board Large Spark-Ignition Engine Regulations (LSI) [13 CCR 2433] Adopts more stringent emission standards for large spark-ignition engines. Effective 11/19/2009	
CA11062009-2	Occupational Safety	10/30/2009	CRNR 2009.44z, p.1876	Proposed Rule Public Hearing	Occupational Safety and Health Standards Board Construction Safety Order-Ladder Jack Scaffolds-General Industry Safety Order-Portable Ladders [8 CCR 1648, 1675, 1678, 3276-80, 3287, 3413, 3563, and 3651] Proposes to consolidate existing provisions into a single standard and add selection, care, and use provisions for portable ladders. Proposes to address requirements for ROPS and seatbelt use during operation of riding mowers. Also would update language to comply with ANSI standards, limit the use of riding lawn mowers, and require operator training. ISOR is available . Hearing 12/17/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA11062009-3	Occupational Safety Fixed Ladders	11/06/2009	CRNR 2009, 45z, p. 1942	Rule Amendment	Occupational Safety and Health Standards Board Fixed Ladders [8 CCR 3277] Amends safety order regarding fixed ladders to require the addition of ladder cage extensions between the bottom of ladder cages and the guardrails of landing platforms in specified situations. The rulemaking specifies certain exceptions and allows for an alternative use of ladder safety systems in lieu of ladder cage extensions in certain situations. Effective 11/21/2009.	
CA11062009-4	Occupational Safety Radio Transmitters	11/06/2009	CRNR 2009, 45z, p. 1942	Rule Amendment	Occupational Safety and Health Standards Board Electric Blasting in Proximity to Radio Transmitters [8 CCR 5306] Updates the reference to the signage required in the proximity of blasting operations using electric detonation to advise motorists and others that they must turn off radio transmitters and cellular telephones until they are clear of the area. Effective 11/25/2009.	
CA11062009-5	Occupational Safety Safety Signs	11/06/2009	CRNR 2009, 45z, p. 1943	Final Rule	Occupational Safety and Health Standards Board Blue Stop Signs, Blue Flags and Blue Lights [8 CCR 3333, 3650] This regulatory action allows the use of blue flags as blue signals used for work on industrial railroad sidings; extends specified requirements for blue stop signs to cover blue flags and blue lights; and requires blue stop signs, blue flags, and blue lights to be displayed in accordance with applicable law. Effective 11/27/2009.	
CA11062009-6	Proposition 65	10/30/2009	CRNR 2009, 44z, p. 1911	Notice Request for Relevant Information	Office of Environmental Health Hazard Assessment Request for Relevant Information on DDE and Nitrobenzene Being Considered for Listing Information due 01/06/2010. DDE is an insecticide and degradation product of DDT. Nitrobenzene is used as a flavoring or perfume additive and as a laboratory solvent, especially for electrophilic reagents; nitrobenzene mainly is produced as a precursor to aniline.	
CA11062009-7	Shipping	10/30/2009	CRNR 2009, 44z, p. 1900	Proposed Rule	Office of Spill Prevention and Response Certification of Financial Responsibility [14 CCR 791-7] Proposes to amend regulations regarding application for a California Certificate of Financial Responsibility for all vessels and marine facility owner/operators transporting or transferring oil in California. ISOR is available . Hearing 12/16/2009. Comments due 12/16/2009.	
CA11062009-8	SIP	11/04/2009	74 FR 57074	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, California Air Resources Board Consumer Products Regulations [40 CFR 52] Finalizes approval of revisions to the California Air Resources Board portion of the SIP. These revisions were proposed in the <i>Federal Register</i> on 06/26/2009 and concern VOC emissions from consumer products. Effective 12/04/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA11062009-9	Species Pacific Fisher	11/06/2009	CRNR 2009.44z, p.1942	Notice	Fish and Game Commission Incidental Take of Pacific Fisher During Candidacy [14 CCR 749.5] First emergency readoption to provide for the incidental take of Pacific fisher during its candidacy for listing as an endangered or threatened species. Effective 10/27/2009.	
CA11062009-10	Species Sooty Grouse	10/30/2009	CRNR 2009.44z, p.1917	Notice	Fish and Game Commission Blue Grouse [14 CCR 300] Corrects a mention of blue grouse to the correct name of sooty grouse. Filed 10/20/2009.	
CA11062009-11	Waste Tires	10/30/2009	CRNR 2009.44z, p.1915	Disapproval Decision	California Integrated Waste Management Board Decision of Disapproval of Regulatory Action [14 CCR 18449-51, 18453-7, 18459-64, 18466] Adopts, amends, and repeals an article entitled, "Waste Tire Hauler Registration and Manifesting Requirements for Used and Waste Tire Haulers, Retreaders, Used and Waste Tire Generators, and Used and Waste Tire End-Use Facilities."	
CA11062009-12	Water	10/30/2009	CRNR 2009.44z, p.1917	Final Rule	State Water Resources Control Board Emergency Fee Regulations to Conform with Budget Act 2009-10 [23 CCR 1062, 1064, 1066, 1070] Effective 10/21/2009.	

2.3 Colorado State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Colorado.

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL11062009-1	Recycling	10/26/2009	FAW Notice #7907069, #7906778, #7906681, and #7907166	Final Rule	Chapter 62-FDEP 704-Certification of Resource Recovery Equipment Finalizes amendments to this rule, including the following: <ul style="list-style-type: none"> Requires that equipment be owned and operated by or exclusively on behalf of a local government Clarifies that equipment must be installed and operational to qualify for the sales tax exemption Adds equipment to the list of recycling equipment Several minor changes also are being made to update cross-references and correct grammar. Effective 11/15/2009.	
FL11062009-2	Solid Waste Composting	11/06/2009	FAW Notice #7892034	Notice Proposed Rule	Chapter 62-FDEP 709-Criteria for the Production and Use of Compost Made from Solid Waste Proposes to amend Chapter 62-709, F.A.C., which contains regulations for processing yard trash and for composting solid waste. Comments due 11/27/2009.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL11062009-3	Solid Waste Management Facilities	10/30/2009	FAW Notice #7858957	Notice of Change	Chapter 62–FDEP 701–Solid Waste Management Facilities Changes have been made to the proposed rule published in FAW Notice #7595893 that will amend 62-701, F.A.C., which contains regulations for a wide variety of solid waste facilities including landfills, C&D debris disposal facilities, and waste processing facilities. Proposed text is provided in the FAW Notice .	KSC should be aware of these changes.
FL11062009-4	Water Drinking Water	11/06/2009	FAW Notice #7671941	Notice Rule Development Workshop	Chapter 62–FDEP 550–Drinking Water, Standards, Monitoring, and Reporting Proposes to adopt the EPA Stage 2 Disinfectants and Disinfection Byproducts Rule (D/DBPR) as is required and, where necessary, amend Chapter 62-550, F.A.C., to include items under that federal regulation that allow state discretion and where clarification is needed. FDEP also is incorporating minor changes to the Stage 1 D/DBPR and Consumer Confidence Reports regulations promulgated with the Stage 2 D/DBPR. A workshop will be held 11/30/2009 in Orlando, Florida.	
FL11062009-5	Water Drinking Water	11/06/2009	FAW Notice #7672329	Notice Rule Development Workshop	Chapter 62–FDEP 560–Requirements for Public Water Systems That Are Out of Compliance 400–Scope of Drinking Water Public Notification Rules Proposes to amend Rule 62-560.400, F.A.C., to update the reference to the “Standard Health Effects Language for Public Notification” for drinking water contaminants in Appendix B to Subpart Q of 40 CFR 141. A workshop will be held 11/30/2009 in Orlando, Florida.	
FL11062009-6	Water Florida Oceans and Coastal Council	10/30/2009	FAW Notice #7849742	Notice Meeting	Chapter 62–Florida Oceans and Coastal Council The Florida Oceans and Coastal Council will hold a public meeting to further its duties under the Oceans and Coastal Resources Action on 11/10/2009.	
FL11062009-7	Water Nutrients	10/30/2009	FAW Notice #7843243	Notice Meeting	Chapter 62–Numeric Nutrient Criteria Technical Advisory Committee Announces a meeting to discuss numeric nutrient criteria for Florida’s waters and will address FDEP’s proposed numeric nutrient criteria for streams, lakes, and springs under Chapters 62-302 and 62-303, F.A.C. The meeting will be held 11/17/2009 in Temple Terrace, Florida.	
FL11062009-8	Water Surface Water Quality	10/30/2009	FAW Notice #7843340	Notice Workshop	Chapter 62–FDEP 302–Surface Water Quality Standards 400–Classification of Surface Waters, Usage, Reclassification, and Classified Waters Announces a public workshop to address proposed revisions to the surface water classification system in Rule 62-302.400, F.A.C. Proposed revisions will focus on revisions that were made in response to public comments on the first workshop draft and on draft guidance for UAAs, which will be incorporated by reference into the rule. No surface waters are proposed for reclassification as part of this rulemaking. The workshop will be held 11/18/2009 in Temple Terrace, Florida.	
FL11062009-9	Water Wastewater Treatment	11/06/2009	FAW Notice #7859636	Notice of Correction	Chapter 62–FDEP 602–Water or Domestic Wastewater Treatment Plant Operators and Distribution System Operators 720–Inactive Status of License. Corrections have been made to the proposed rule published in FAW Notice #7713942 to make minor changes to procedures for individuals with null and void licenses to reapply to FDEP to reacquire their licenses.	

2.5 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD11062009-1	Hazardous Materials Pesticide Control	11/09/2009	36:23 Md.R. 1818	Notice of Final Action	Department of Agriculture Use and Sale of Pesticides, Certification of Pesticide Applicators and Pest Control Consultants, and Licensing of Pesticide Businesses The Secretary of Agriculture has amended COMAR 15.05.01.08 to alter licensing, permit, and certification requirements for wildlife control licenses under the Pesticide Applicators Law. This amendment will eliminate overlapping licensing requirements. Effective date 11/16/09.	
MD11062009-2	Occupational Safety Elevator, Escalator, and Chairlift Safety	11/09/2009	36:23 Md.R. 1816	Notice of Final Action	Division of Labor and Industry Elevator, Escalator, and Chairlift Safety DLLR has amended Regulations .01, .01-1, .04-1, and .05 and adopted Regulations .07 and .08 under COMAR 09.12.81 to implement Ch. 145, Acts of 2009, which requires: 1) elevator unit owners to hire an authorized third-party qualified elevator inspector to perform periodic annual inspections on privately owned elevator units; 2) state inspectors to conduct final inspections on new and altered elevator units; 3) 5-year inspections; 4) periodic annual inspections of publicly owned elevator units; 5) investigations of accidents and complaints; 6). incorporation by reference of ASME A17.1-2007/CSA B44-07 Safety Code for Elevators and Escalators and ASME A17.2-2007 Guide for Inspection of Elevators, Escalators, and Moving Walks. Effective date 11/16/09.	

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.

2.9 Ohio State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Ohio.

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX11062009-1	Water Water Quality Management Plan	11/06/2009	34 TexReg 7845	Notice	Texas Commission on Environmental Quality Notice of Availability of the Draft October 2009 Update to the Water Quality Management Plan Announces the availability of the draft October 2009 Update to the Water Quality Management Plan for the State of Texas . Comments due 12/07/2009.	

2.10.1 Public Meeting on Designation Recommendation for PM2.5 for Harris County

TCEQ will host an informational meeting on 19 November 2009 for the attainment designation recommendation for Harris County for the 1997 annual PM2.5 NAAQS. At the meeting, TCEQ will present information about the subject and about the 8 October 2009 letter EPA sent the Governor of Texas initiating the process, and will accept informal comments. EPA initiated the redesignation process based on ambient air monitoring data from 2006 through 2008 that indicates one monitor in Harris County is violating the annual PM2.5 NAAQS. EPA has requested that the state's recommendation be submitted to EPA by 5 February 2010.

The meeting will be held in Galena Park at 1:00 p.m. More information about the meeting, including a copy of the letter, may be found on [TCEQ's website](#).

2.11 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

2.11.1 Western Climate Initiative

The Western Climate Initiative (WCI) has scheduled a "WCI Partner" meeting for 18 November 2009 from 9:00 a.m. to 5:00 p.m. Mountain Standard Time in Santa Fe, New Mexico.

Participants also can join the meeting by teleconference. Please refer to the WCI [website](#) for further meeting information.

2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA11062009-1	Air SIP	11/03/2009	74 FR 56754	Proposed Rule	U.S. Environmental Protection Agency State Implementation Plan Proposes to approve a revision to Virginia's SIP that includes clarification of the case-by-case RACT. Also adds the 1997 8-hour ozone standard RACT requirements to Virginia's regulation. Comments due 12/3/2009.	
VA11062009-2	Water Storm Water	10/26/2009	26:4 Va.R. 355	Final Rule	Virginia Soil and Water Conservation Board 4VAC50-60 Amends the following: <ul style="list-style-type: none"> ▪ Technical criteria applicable to discharges of storm water from construction activities ▪ Minimum criteria for locally administered storm water management programs ▪ Authorization and review procedures for qualifying local programs ▪ Definitions applicable to all Virginia Storm Water Management Regulations Comments will be accepted until 11/25/2009, only on the changes made to the regulations.	
VA11062009-3	Water Water Quality	10/26/2009	EPA website	Public Notice	EPA has announced a series of public meetings to discuss the proposed TMDLs for the Chesapeake Bay, including one in Williamsburg on 12/15/2009.	